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FM AMEMBASSY BAGHDAD  
TO RUEHC/SECSTATE WASHDC PRIORITY 3706  
RHEHNSC/WHITE HOUSE NSC WASHDC PRIORITY  
RUEKJCS/SECDEF WASHINGTON DC  
INFO RUCNRAQ/IRAQ COLLECTIVE

C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 001098

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E.O. 12958: DECL: 04/03/2016

TAGS: [PGOV](#) [KDEM](#) [IZ](#)

SUBJECT: IRAQ'S LEADERS COMPLETE UNITY GOVERNMENT FRAMEWORK  
WITH AGREEMENT ON CABINET BY-LAWS

Classified By: Ambassador Zalmay Khalilzad for reasons 1.4 (B) and (D).

¶1. (C) Iraq's leaders on April 2 reached agreement on the key by-laws for the next cabinet (appended below), the final piece of a national unity government framework before they turn to naming ministers. The agreement on the cabinet by-laws completes the last of four documents - also addressing the national security council charter, ministerial security committee, and government program -- that will shape the next government.

¶2. (C) The agreement on the cabinet by-laws represents a clear break with the ways of the current transitional government's cabinet. Where the current cabinet meets without a clear rule of procedure, the next cabinet, the new document stipulates, will hold votes on all key decisions. Strategic issues, including the budget and key government appointments, must all be approved by a two-thirds vote. Furthermore, while the current government's deputy prime ministers seemed to inhabit empty posts devoid of responsibility, the new by-laws ensure that the two national unity government's deputy premiers will be key officials, overseeing implementation of security and services policies. The leaders decided to leave the drafting of a complete set of by-laws to lawyers after the government is formed. Instead, the agreed provisions, translated below, succinctly set the points of order on how the next cabinet will be run.

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Text of the Council Of Ministers By-Laws Provisions  
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BEGIN TEXT

The Internal bylaws of the Council of Ministers shall include achieving the following:

¶1. The basic function of work in the state is to ensure partnership in decision-making, distribution of responsibilities, and contribution to the implementation of that political program of the political blocs that are in a coalition for forming the Iraqi government. Therefore, consideration must be given to performance, the building of institutions and in the movement of work in a way that confirms the above principle and reinforces a sense of Iraqi belonging. In this respect we would like to emphasize that the secretariat of the Council of Ministers is a technical and administrative body, the formation of which should take into consideration Item 23 of the political program of the political blocs.

¶2. Voting by a two-thirds majority of the number of those present with regard to the following matters:

(1) Bills of the Federal budget, final statement of account, development plans and decisions of a strategic nature.

(2) International agreements and treaties.

(3) Ministry contracts exceeding 50,000,000 USD. Contracts less than that can be confirmed by a simple majority.

(4) Matters related to the international borders of Iraq and strategic international matters.

(5) Recommendation to approve the appointment of Deputy Ministers, Ambassadors, individuals with special grades, the Army Chief of Staff and his assistants and those holding the rank of a Division Commander and higher, the head of National Intelligence and heads of security services.

(6) Matters relevant to national sovereignty including the presence of MNF-I and the way of regulating their work.

13. The two Deputy Prime Ministers.

(1) There are three main portfolios in the Council of Ministers: The security portfolio, the economic portfolio and the services portfolio.

(2) The Prime Minister shall charge one of his deputies with managing the economic portfolio, following up the implementation of the decisions of the Council of Ministers and the directives of the Prime Minister.

(3) The Prime Minister shall charge his other deputy with managing the services portfolio and following up the implementation of the decisions of the Council of Ministers and the directives of the Prime Minister.

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(4) The Deputy Prime Minister who assumes the position of Deputy Chairman of the Security Committee shall be charged with one of the two dossiers mentioned above.

END TEXT  
KHALILZAD